THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.8128 of 2006

Date 22.02.2007

Between:
K.Sunder.

..... PETITIONER

AND

The State of A.P., Department of Home, rep. By its Secretary, Secretariat, Hyderabad & others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.8128 of 2006

O R D E R:

This writ petition is filed questioning the action of the 4th respondent in interfering with the petitioner's property bearing Municipal No.1-3-162, situated at Khazipet, Hanamkonda, Warangal and threatening him with dire consequences as illegal and arbitrary.

It is stated that the fourth respondent is pressurizing the petitioner to vacate his tenant from the premises bearing Municipal No.1-3-162, situated at Khazipet, Hanamkonda, Waranagal and also threatened him with dire consequences if the tenant was not evicted. It is further stated that the petitioner made complaints before the authorities concerned and finally made a representation on 20-02-2006. Since no action was taken on the said representation, the petitioner filed this writ petition.

In view of the serious allegations made in the writ petition, this Court, by order dated 21-04-2006, directed the learned Government Pleader for Home to get necessary instructions from the second respondent after conducting inquiry against the fourth respondent.

Learned Government Pleader for Home placed before this Court a letter dated 13-03-2006 addressed to the Superintendent of Police, Warangal, by the Sub-Divisional Police Officer, Warangal, wherein it was stated that pursuant to a petition filed by the complainant and also on receipt of the letter from the A.P. State Human Rights Commission, enquiry was conducted against the fourth respondent, which disclosed that all the allegations made by the petitioner against the fourth respondent are baseless and false, and therefore, no disciplinary action can be taken against him.

In view of the aforesaid facts stated in the letter dated 13-03-2006, I am of the opinion that the disputed questions of fact cannot be gone into in this writ petition. The Writ Petition is accordingly dismissed with a liberty to file a private complaint before the appropriate criminal Court. No order as to costs.

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22-02-2007

usd